

Serial No. 10/791,088

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REMARKS

Applicants have amended claims 1, 7, and 11 and canceled claim 10. Thus, claims 1 - 9 and 11 - 14 are currently pending and presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Response to Rejection Under Section 102:

Claims 1 - 5, 7 - 9, and 11 - 13 stand rejected under 35 U.S.C. § 102(b), the Examiner contending that these claims are anticipated by Warren (USPN 2,552,239); claims 1, 3, 6, 7, 9 - 11, and 13 - 14 stand rejected under 35 U.S.C. § 102(b), the Examiner contending that these claims are anticipated by Endries et al. (EP 1152125 A1). The Examiner apparently reads Warren and Endries as disclosing Applicant's claimed cooling arrangement.

Applicants have amended claim 1 to include the limitation of cooling the flow medium by the heat exchanger before the flow medium enters the turbo machine by no more than 60 °C (see e.g. Applicants' specification page 3 lines 5 - 14 and page 5 lines 8 - 24). In contrast, Warren discloses cooling the coolant by at least 65 °C (see Warren specification Column 1 lines 50 - 52). The limitation placed on the amount of cooling of the flow medium is not one of mere design choice but is a physical limitation caused by the inlet and exhaust temperature conditions of the Applicants' claimed invention (see e.g. Applicants' specification page 5 lines 8 - 24). Regarding Endries, Endries does not teach or disclose cooling the flow medium by no more than 60 °C.

Regarding claim 7, Applicants have amended claim 7 to include the limitations of having a thrust compensating piston and wherein the entire volume of exhaust steam flows through the heat exchanger (see Applicants' specification page 4 lines 16 - 20 and Figure 1). Warren does not teach or disclose a thrust compensation piston and Endries does not teach or disclose flowing the entire volume of exhaust steam through the heat exchanger (see Endries specification Figure 1). Applicants note that flowing the entire volume of exhaust gas through the heat exchanger provides a more efficient cooling of the cooling steam (see e.g. Applicants' specification page 2 lines 27 - 32).

Regarding claim 11, Applicants have amended claim 11 to include the limitation of a branch line to extend from the live-feed line adapted to pass a greater than 10% portion of the

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~~flow medium to a heat exchanger.~~ In contrast, Endries teaches flowing less than 10% of the total flow medium to the heat exchanger (see Endries specification Column 1 line 66 to Column 2 line 4). The limitation that the live feed line be adapted to pass a greater than 10% portion of the flow medium is not one of mere design choice but to provide proper cooling to the thermally stressed thrust compensation piston.


In view of the above, independent claims 1, 7, and 11 are patentable. Dependent claims 2 – 6, 8, 9, and 12 – 14 are also patentable at least based on their dependency from the independent claims, as well as based on their own merit. For example, dependent claim 5 recites the temperature of the portion of the flow medium cooled in the heat exchanger is at least 20°C below the temperature of the live steam. Therefore, Applicants respectfully request that the Examiner withdraw the Section 102 rejection.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 11/15/05

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